BEFORE THE CITY COUNCIL OF THE CITY OF LAFAYETTE

IN THE MATTER OF:

A Resolution of the City Council of the City of Lafayette Approving the Adoption of the Lafayette Stimulus Package

Resolution 2009-13

WHEREAS, the City of Lafayette ("City") has been negatively impacted by the economic downturn currently plaguing California;

WHEREAS, the economic downturn has created a ripple effect across the community, causing reduced business revenues and a slowdown in the development of property; and

WHEREAS, the City Council desires to encourage business and development of property within the City during this economic downturn by adopting the Lafayette Stimulus Package.

NOW THEREFORE BE IT RESOLVED THAT:

Section 1. Sign Permits. As long as this Resolution remains in effect, the fee for a sign permit as required in Lafayette's Municipal Code § 6-2529 shall be waived.

Section 2. Waste Management Performance Security Fee. As long as this Resolution remains in effect, the waste management performance security fee as set forth in Section 5-604 shall be waived.

Section 3. Street Trees. As long as this Resolution remains in effect, the cost of any street trees required to be planted as a condition of development in the Downtown shall be waived.

Section 4. Planning Permits. As long as this Resolution remains in effect, the expiration date of hillside development permits, design review permits, and land use permits as set forth in Title 6 of the Lafayette Municipal Code set to expire from the effective date of this Resolution until December 31, 2009 shall automatically be extended for one (1) additional year from the date of expiration. However, such extension shall only apply to those permits which cannot be extended or have already been extended in accordance with the Lafayette Municipal Code and do not have any further option to extend.

Section 5. Nonconforming and Abandoned Uses. As long as this Resolution remains in effect, the one hundred twenty (120) day period for which a nonconforming or abandoned use may discontinue active operation prior to being terminated, as set forth in Sections 6-551(e) and 6-604(a)(4) of the Lafayette Municipal Code, shall not be enforced. The nonconforming and/or abandoned use may discontinue active operation for as long as this Resolution remains in effect. However, the facilities accommodating or serving such nonconforming or abandoned activity shall be maintained in a physically safe condition during this period of no enforcement.

Section 6. Lafayette Vistas. The Spring 2009 edition of the "Lafayette Vistas" community newsletter shall be devoted to the promotion of the downtown area of the City and the businesses therein, and shall feature an article entitled "Try Lafayette First" to encourage citizens

of the City to support the community in which they live by using the businesses and services located within the City.

Section 7. Prospective Application and Effective Date. The provisions of the Lafayette Stimulus Package as set forth in this Resolution shall apply prospectively from the effective date of this Resolution until December 31, 2009, except as otherwise set forth in this Resolution, and unless a later enacted resolution or ordinance terminates, shortens or extends that period.

Section 8. California Environmental Quality Act. The proposed action is exempt from the California Environmental Quality Act (CEQA) because, pursuant to Title 14 of the California Code of Regulations section 15378(a), CEQA does not apply to actions when there is no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect change in the environment.

Section 9. Effective Date. This Resolution shall become effective upon its adoption.

PASSED AND ADOPTED by the City Council at a meeting of said Council on February 23, 2009 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

Joanne Robbins, City Clerk

APPROVED:

Don Tatzin, Mayor